

No. 9/9/86-6Lab./1314.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s G.G. Textiles, 22-A Industrial Area, N.I.T., Faridabad.

BEFORE SHRI R. N. BATRA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD.

Reference No. 38/1984.

between

SHRI RAM NARESH, WORKMAN AND THE MANAGEMENT OF M/S. G.G. TEXTILES,
22-A INDUSTRIAL AREA, N.I.T. FARIDABAD

Present :

Shri Jawahar Lal, authorised representative alongwith the workman.

None, for the management.

AWARD

In exercise of the powers conferred by clause (d) of sub-section (1) of Section-10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between Shri Ram Naresh, workman and the management of M/s G.G. Textiles, 22-A Industrial Area, N.I.T., Faridabad, to this Tribunal for adjudication:—

Whether the termination of services of Shri Ram Naresh was justified and in order? If not, what relief is he entitled to?

2. Notices were issued to both the parties. It may be mentioned that the claimant filed claim statement on 13th February, 1985 while the written statement was filed by the Management on 4th March, 1985 and rejoinder by the claimant on 5th April, 1985. On 18th December, 1985 none appeared on behalf of the Management even though they were represented previously and as such *ex parte* proceedings were ordered against them.

3. Shri Ram Naresh claimant has appeared as WW-1 and stated that he was employed by the Management on 16th September, 1980 as Weaver at Rs. 515/- per month. He further stated that he was turned out on 3rd February, 1982 by the Management when no notice pay or compensation was given to him. He further stated that he had not entered into any settlement with the management on 21st October, 1982 nor he received any amount in the alleged settlement. He also stated that factory was running even now and that he had gone there about 10/11 days ago and found that the factory was being run. He stated that termination of his services was illegal and he be reinstated with full back wages.

4. The above testimony of WW-1 Shri Ram Naresh claimant shows that the services of the claimant were terminated illegally because provisions of Section 25-F of the Industrial Disputes Act, 1947 have not been complied inasmuch as no notice pay or compensation was given to him. His testimony is to the effect that the factory is still being run. Consequently, the termination of service of the claimant was neither justified nor proper and as such the claimant is entitled to reinstatement with full back wages. The award is passed accordingly.

Dated the 3rd February, 1986.

R. N. BATRA,

Presiding Officer,

Industrial Tribunal, Haryana, Faridabad.

Endst. No. 76, dated the 3rd February, 1986.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

R. N. BATRA,

Presiding Officer,

Industrial Tribunal, Haryana, Faridabad.